

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

|  |   |                             |
|--|---|-----------------------------|
| <b>ROSY GIRON DE REYES, <i>et al.</i>,</b>                             | ) |                             |
| <b>Plaintiffs,</b>   | ) |                             |
|  | ) |                             |
| <b>v.</b>  | ) | <b>Case No. 1:16-cv-563</b> |
|  | ) |                             |
| <b>WAPLES MOBILE HOME PARK<br/>LIMITED PARTNERSHIP, <i>et al.</i>,</b> | ) |                             |
| <b>Defendants.</b>   | ) |                             |

**ORDER**

The matter came before the Court on the parties' cross motions for summary judgment (Docs. 97 & 137). By Order dated February 21, 2017, the cross motions were denied as moot insofar as (1) plaintiffs sought summary judgment on disparate impact claims that failed to survive the Rule 12(b)(6) stage, (2) defendants reiterated a standing challenge that had already been rejected, and (3) defendants sought summary judgment on non-existent claims.<sup>1</sup> *See Reyes v. Waples Mobile Home Park LP*, No. 1:16-cv-563 (E.D. Va. Feb. 21, 2017) (Order). The parties' cross motions were taken under advisement in all other respects.

For the reasons stated in the Memorandum Opinion of even date, and for good cause,

It is hereby **ORDERED** that defendants' motion for summary judgment (Doc. 97) is **GRANTED IN PART** and **DENIED IN PART**. Specifically, defendants' motion is **GRANTED** on the following claims, which claims are **DISMISSED WITH PREJUDICE**:

- Count I: Violation of the Fair Housing Act ("FHA"), 42 U.S.C. § 3601 *et seq.*;

---

<sup>1</sup> Specifically, defendants argued that the male plaintiffs' claims for breach of contract and violation of Va. Code § 36-96.3 *et seq.* should be dismissed as against the female plaintiffs. A cursory reading of the Complaint, however, reveals that the female plaintiffs never purported to bring those two claims.

- **Count II: Violation of the Virginia Fair Housing Law ("VFHL"), Va. Code § 36-96.3 *et seq.*; and**
- **Count IV: Violation of 42 U.S.C. § 1981.**

Furthermore, Defendants' motion for summary judgment is **DENIED** on the following Counts:

- **Count III: Violation of the Manufactured Home Lot Rental Act (the "Rental Act"), Va. Code § 55-248.41 *et seq.*; and**
- **Count V: Breach of contract.**

It is further **ORDERED** that plaintiffs' cross motion for summary judgment is **DENIED**.

Thus, the matter will proceed to trial on Counts III and V.

It is further **ORDERED** that a pretrial conference in this matter is **SCHEDULED** for 10:00 a.m. Friday, April 28, 2017.

The Clerk is directed to send a copy of this Order to all counsel of record.

Alexandria, Virginia  
April 18, 2017

  
\_\_\_\_\_  
T. S. Ellis, III  
United States District Judge